

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

RICHARD MARSCHKE, S16447,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 22-cv-245-DWD
)	
WEXFORD HEALTH SOURCES,)	
ET AL.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

DUGAN, District Judge:

On November 30, 2022, the Court directed Plaintiff Richard Marschke to file a second amended complaint by December 30, 2022. (Doc. 19). The Court clearly warned Plaintiff that if he failed to file an amended complaint, his case would be dismissed for failure to state a claim or to comply with a court order. (Doc. 8 at 5-6); *see also* Fed. R. Civ. P. 41(b); *James v. McDonald's Corp.*, 417 F.3d 672, 681 (7th Cir. 2005) (under Rule 41(b) a court has authority to dismiss an action for failure to prosecute if a party does not provide a timely response to a court order). The Court has not received any correspondence from Plaintiff. For the reasons explained in the November 30, 2022, Order the Court finds that Plaintiff has failed to state a valid claim under any potential legal theory against the named Defendants. Thus, his case is subject to dismissal under 28 U.S.C. § 1915A for failure to state a claim. Plaintiff's case is now dismissed for failure to state a claim, and for failure to prosecute. The Clerk of Court is **DIRECTED** to close this case.

IT IS SO ORDERED.

Dated: April 17, 2023

The image shows a handwritten signature in black ink, which appears to read "David W. Dugan". The signature is written over a circular official seal. The seal features an eagle with spread wings, holding an olive branch and arrows, with a shield on its chest. Above the eagle's head is a constellation of stars. The text "UNITED STATES DISTRICT COURT" is written in a circle around the top, and "SOUTHERN DISTRICT OF ILLINOIS" is written around the bottom.

DAVID W. DUGAN
United States District Judge